

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

WILLIAM McAFEE,	)	
	)	
Plaintiff,	)	Cause No.: 4:12-cv-1667
	)	
v.	)	
	)	
ALLSTATE PROPERTY & CASUALTY	)	<b>JURY TRIAL DEMANDED</b>
INSURANCE COMPANY	)	
	)	
Defendant.	)	

**MOTION FOR SANCTIONS**

COMES NOW Defendant Allstate Property & Casualty Insurance Company, by and through the undersigned counsel, and for its Motion for Sanctions, states as follows:

1. Per the Court's Rule 16 Order, Plaintiff's Rule 26 Disclosures were due on November 16, 2012.
2. On December 5, 2012, Defendant served Plaintiff with its First Interrogatories and Request for Production Documents.
3. On February 12, 2013, Defendant filed its Motion to Compel directed to Plaintiff.
4. A hearing was held on the Motion on March 12, 2013 and the Court ordered Plaintiff to provide Defendant with Plaintiff's Rule 26 Disclosures and Answers/Responses to Defendant's discovery by March 19, 2013.
5. To date, Plaintiff has still failed to produce his Rule 26 Disclosures and any discovery responses to Defendant.
6. Plaintiff's undue delay in providing his discovery responses and Rule 26 Disclosures has severely prejudiced Defendant as it has been unable to properly prepare this matter for trial.

7. Given Plaintiff's refusal to provide his Rule 26 Disclosures and discovery responses and his violation of the Court's Order, sanctions are appropriate.

WHEREFORE Defendant respectfully requests this Court enter sanctions against Plaintiff including, but not limited to, striking Plaintiff's pleadings or dismissing this action with prejudice, for monetary relief, including Defense fees and costs, and for such other and further relief as deemed just and proper under the circumstances.

Respectfully submitted,

***BROWN & JAMES, P.C.***

/s/ Robert L. Brady

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***Attorney for Defendant Allstate Property &  
Casualty Insurance Company***

**CERTIFICATE OF SERVICE**

A true and accurate copy of the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system this 26<sup>th</sup> day of March, 2013, to: **Mr. Joseph K. Robbins**, 906 Olive Street, Suite 1125, St. Louis, Missouri 63101, [jkrobbins@robbinslawstl.com](mailto:jkrobbins@robbinslawstl.com), *Attorney for Plaintiff*.

/s/ Robert L. Brady

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